

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EFRAIN RESCALVO VAZQUEZ, on behalf
of himself and all other persons similarly
situated,

Plaintiff,

-against-

WALLY'S DELI & GROCERY CORP., et al.,
Defendant.

1:19-cv-06797 (JLR) (OTW)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On June 20, 2023, the parties in this action — brought pursuant to the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.* — notified the Court that they have reached a settlement. ECF No. 83. By separate Order today, the Court is amending the Order of Reference in this case by referring this case to Magistrate Judge Wang for purposes of reviewing and deciding whether to approve the settlement.

Pursuant to the Order at ECF No. 84, and to conserve resources, to promote judicial efficiency, and in an effort to achieve a faster disposition of this matter, the parties must discuss whether they are willing to consent, under 28 U.S.C. § 636(c), to conducting all further proceedings before the Magistrate Judge. **If both parties consent** to proceed before the Magistrate Judge, they must, by **June 23, 2023**, file on the docket a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form, a copy of which is attached to the Amended Order of Reference (and available at <https://www.nysd.uscourts.gov/node/754>). If the Court approves that form, all further proceedings will then be conducted before the Magistrate Judge rather than before the undersigned. Any appeal would be taken directly to the United States Court of Appeals for the Second Circuit, as it would be from this Court if the

consent form were not signed and so ordered. An information sheet on proceedings before magistrate judges is also attached to the Amended Order of Reference.

If either party does not consent to conducting all further proceedings before the assigned Magistrate Judge, the parties must file a joint letter, by **June 23, 2023**, advising the Court that the parties do not consent, **but without disclosing the identity of the party or parties who do not consent**. There will be no adverse consequences if the parties do not consent to proceed before the Magistrate Judge.

Dated: June 21, 2023
New York, New York

SO ORDERED.



JENNIFER L. ROCHON
United States District Judge